

IN THE CLAIMS:

Please amend the claims as follows:

- ✓ 1. (AMENDED) An apparatus for forming bags comprising a continuously traveling film (12) fitted with at least one tape (60) with an opening/closing function that is placed on the film (12), [wherein] the apparatus comprises at least one sensor (100) that detects the presence of the tape (60) when the tape (60) is in a predetermined position relative to (means (30) for treating the film cyclically) in order to form bags.
- ✓ 2. (AMENDED) The apparatus as claimed in claim 1, wherein the sensor (100) is formed by a mechanical feeler.
- ✓ 3. (AMENDED) The apparatus as claimed in claim 1, wherein the sensor (100) is placed after a set of transverse heat-sealed jaws (30) relative to the travel direction of the film (12).
- ✓ 4. (AMENDED) The apparatus as claimed in claim 1, wherein the sensor (100) is secured to equipment carrying the transverse heat-sealing jaws (30) so that the sensor (100) is moved cyclically towards and away from the film (12).
- ✓ 5. (AMENDED) The apparatus as claimed in claim 1, wherein the sensor (100) is formed by a mechanical feeler having a pusher (102) associated with an electrical contactor (104).
- ✓ 6. (AMENDED) The apparatus as claimed in 1, further comprising means (16) for shaping the film into a tubular state, means (18) suitable for filling the tubular

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

ag cont
bag blank formed (in this way, and means (30) suitable for closing the bag) on the packaged product.

✓ 7. (AMENDED) The apparatus as claimed in claim 1, further comprising means (14) suitable for fixing the tape (60) onto the film (12).

✓ 8. (AMENDED) The apparatus as claimed in claim 1, comprising a film (12) that is already fitted with the tape (60) having the opening/closing function.

✓ 9. (AMENDED) The apparatus as claimed in claim 1, further comprising a means for causing the film (12) to travel vertically.

✓ 10. (AMENDED) The apparatus as claimed in claim 1, further comprising means for causing the film (12) to travel horizontally.

11/12/4
✓ 11. (AMENDED) The apparatus as claimed in claim 1, wherein the tape (60) has an opening/closing function comprises complementary closure strips, tear/cut tapes, adhesive tapes, or metal tapes for closing by folding.

✓ 12. (AMENDED) The apparatus as claimed in claim 1 wherein the sensor (100) is located along a longitudinal edge of the bag remote from the edge via which the tape (60) is delivered.

✓ 13. (AMENDED) The apparatus as claimed in claim 1 wherein the sensor (100) is adapted to detect the presence of a tape (60), to detect that the tape (60) has been fed properly in the direction that is transverse to the travel direction of the film (12),

92 cont
and to detect that the tape is properly positioned in the longitudinal direction of the film (12).

✓ 14. (AMENDED) The apparatus as claimed in claim 1 wherein each sensor (100) comprises dual feelers (100a, 100b) that are juxtaposed in the longitudinal travel direction of the film (12).

✓ 15. (AMENDED) The apparatus as claimed in claim 1 wherein the tape (60) extends transversely to the travel direction of the film (12).

✓ 16. (AMENDED) The apparatus as claimed in claim 1 wherein the tape (60) is disposed parallel to the travel direction of the film (12).

✓ 17. (AMENDED) The apparatus as claimed in claim 1 wherein the tape (60) is disposed obliquely relative to the travel direction of the film (12).

✓ 18. (AMENDED) The apparatus as claimed in claim 17, wherein two sensors (100) are disposed close to respective edges of the bag along a generator line that is oblique relative to the travel direction of the film (12) and that corresponds to the expected oblique position for the tape.

11/15/05
✓ 19. (AMENDED) A method of forming packaging bags using a continuously traveling film fitted with at least one tape (60) having an opening/closing function placed on the film, wherein the method comprises detecting the presence of the tape (60) having the opening/closing function by means of at least one sensor (100) in a

Q2 cont
predetermined position relative to the means (30) for cyclically processing the film in order to form a bag.

✓ 20. (AMENDED) The method as claimed in claim 19, wherein the sensor (100) is formed by a mechanical feeler placed on the longitudinal edge of the film remote from the edge via which the tape (60) is delivered.

Please add the following new claims:

Q3
✓ 21. (NEW) The apparatus of claim 1, wherein the at least one sensor (100) detects the presence of the tape (60) in a predetermined position relative to ^{WAB} the means (30) provided on the apparatus for closing the bag-constituting film transversely.

✓ 22. (NEW) The apparatus as claimed in claim 11, wherein the complementary closure strips are male/female strips.

✓ 23. (NEW) The apparatus as claimed in claim 11, wherein the complementary closure strips have complementary hooks.

✓ 24. (NEW) The apparatus as claimed in claim 11, wherein the adhesive tapes are peel-off tapes.

✓ 25. (NEW) The method of claim 19, wherein the at least one sensor (100) is in a predetermined position relative to ^{NAB} means (30) provided on the forming apparatus to close the bag-forming film transversely.

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com